THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.373 of 2001

Dated:20.2.2007

Between
Sk.Lal Saheb

.....Petitioner

and

1. The Executive Officer,
Irrigation Godavari Eastern Division,
Dowlaiswaram
and others.

...Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

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ORDER:

It appears that the petitioner raised an industrial dispute being ID No.506 of 1995 before the Labour Court, Visakhapatnam under Section 2-A (2) of the Industrial Disputes Act, 1947 (for short 'the Act). The said ID was dismissed as not maintainable holding that the Irrigation Department of the State Government is not an industry within the meaning of Section 2 (j)of the Act.

In view of the Judgments of the Apex Court rendered in *Bangalore Water Supply v. A.Rajappa*[1] and in *GM Telecom v. S.S.Rao & ors*[2] , it cannot be said that the Irrigation Department is not an industry within the meaning of 2(j) of the Act.

Therefore, the writ petition is allowed and the award passed by the Labour Court is set aside.

The Labour Court shall take the ID on file and decide the same on its own merits, as per law, within a period of six months.

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20-02-2007

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[1] 1978-I-LLJ(349) SC

[2] 1998 (1) LLJ (255)